TEXAS TRANSPORTATION COMMISSION

<u>PALO PINTO</u> County MINUTE ORDER Page 1 of 1

FORT WORTH District

Near Possum Kingdom Lake, Palo Pinto County, on PR 36, the State of Texas acquired an easement interest in certain land by an instrument recorded in Volume 320, at Page 581, of the Deed Records of Palo Pinto County, Texas.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (the commission) may recommend the exchange of an easement encumbering real property, acquired but not needed for a highway purpose, as whole or partial consideration for another easement encumbering real property needed for a state highway purpose.

The right of way easement, encumbering the real property described in Exhibit A (the "tract"), is no longer needed for a state highway purpose. The value of the easement encumbering the tract is \$116,810. The commission finds \$116,810 to be a fair and reasonable value of the state's right, title, and interest in the easement.

The easement interest, encumbering the real property described in Exhibit B (the "parcel"), is needed for a state highway purpose and will be conveyed to the state by MaBe Lakeview, LLC ("MaBe"). The value of the easement encumbering the parcel is \$66,563.

MaBe has requested that the right of way easement encumbering the tract be released to MaBe in exchange for the right of way easement encumbering the parcel. MaBe will be required to pay the state the \$50,247 difference in value in cash at closing.

It is the opinion of the commission that it is proper and correct that the state release the right of way easement encumbering the tract to MaBe as consideration for the right of way easement encumbering the parcel and receipt of the \$50,247 value difference from MaBe.

IT IS THEREFORE ORDERED by the commission that the right of way easement encumbering the tract is no longer needed for a state highway purpose. The commission recommends, subject to approval by the attorney general, that the governor of Texas execute a proper instrument releasing all of the state's right, title, and interest in the right of way easement encumbering the tract to MaBe Lakeview, LLC in exchange and as consideration for the right of way easement encumbering the parcel and receipt of the \$50,247 in value difference to the state.

Submitted and reviewed by: Recommended by:

1/1 a

Director, Right of Way Division

Executive Director

JAMES M BASS

DocuSigned by:

116028 May 27, 2021

Minute Date Number Passed County: Palo Pinto Highway: Park Road 36

260+12.88 to 269+40.31

R.O.W. CSJ: 0362-06-013

Page 1 of 6 August12, 2016

Description for Tract 13-29 Part 2

BEING 1.548 acres of land situated in the A. J. Smith Survey, Abstract 393, Palo Pinto County, Texas, a portion of Park Road 36 (a variable width right-of-way) as fully described in the Right-of-Way Easement for same recorded in Volume 320, Page 581 of the Deed Records of Palo Pinto County, Texas, executed October 30, 1964 and that certain tract of land conveyed to MaBe Lakeview, LLC recorded in Volume 2137, Page 415 of said deed records, executed March 14, 2016. Said 1.548 acres of land being further described as Parts 3A and 3B as follows:

Part 2A

Station:

BEGINNING at a 5/8-inch iron rod set at the intersection of the existing westerly right-of-way line of said Park Road 36 with the northerly line of said MaBe Lakeview tract and 35-foot right of Centerline Station 260+12.88 having a Texas State Plane Coordinate System, N.A.D. 83, North Central Zone (4202) surface coordinate of North 7,005,949.04, East 1,978,143.79 feet; from which POSSUM KINGDOM CONTROL MONUMENT No. 4, a 3 1/2-inch aluminum disc in concrete found bears North 75 degrees 46 minutes 28 seconds East, 5,886.00 feet and an X cut on a rock found for the northerly corner of said MaBe Lakeview tract bears North 59 degrees 51 minutes 03 seconds West, 56.93 feet:

1) THENCE South 59 degrees 51 minutes 03 seconds East, along the northerly property line of said MaBe Lakeview Tract, a distance of 90.37 feet to a 5/8-inch iron rod set at the easterly right-of-way line of said Park Road 36 from which a 1/2-inch iron rod with cap stamped "Price Surveying" found for a corner of said MaBe Lakeview tract bears South 59 degrees 51 minutes 03 seconds East, a distance of 61.13 feet;

THENCE southwesterly along the easterly right-of-way line of said Park Road 36 the following four (4) courses and distances:

- 2) South 24 degrees 58 minutes 23 seconds West, a distance of 78.97 feet to a 5/8-inch iron rod set;
- 3) South 36 degrees 16 minutes 59 seconds West, a distance of 101.98 feet to a 5/8-inch iron rod set;
- 4) South 24 degrees 58 minutes 23 seconds West, a distance of 543.42 feet to a 5/8-inch iron rod set at the beginning of a curve to the right;
- 5) Southwesterly, a distance of 19.00 feet along the arc of said curve to the right, having a radius of 1180.92 feet, a central angle of 00 degrees 55 minutes 18 seconds and whose long chord bears South 25 degrees 26 minutes 02 seconds West, a distance of 19.00 to a 5/8-inch iron rod set at the intersection of said easterly right-of-way line with a southerly property line of said MaBe Lakeview tract from which a spike found for a corner of said MaBe Lakeview tract bears South 59 degrees 48 minutes 35 seconds East, a distance of 6.71 feet;

County:

Palo Pinto

Highway: Park Road 36

Station:

260+12.88 to 269+40.31

R.O.W. CSJ: 0362-06-013

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Description for Tract 13-29 Part 2

6) THENCE North 59 degrees 48 minutes 35 seconds West, along the southerly property line of said MaBe Lakeview tract, a distance of 75.23 feet to a 5/8-inch iron rod set at the intersection of said southerly boundary line and the westerly right-of-way line of said Park Road 36 being the beginning of a non-tangent curve to the left, from which a 1/2-inch iron rod with cap stamped "Briggs & Mathews" found for the most westerly southwest corner of said MaBe Lakeview tract bears North 59 degrees 48 minutes 35 seconds West, a distance of 118.25 feet;

THENCE northeasterly along the westerly right-of-way line of said Park Road 36 the following seven (7) courses and distances:

- 7) Northeasterly, a distance of 12.16 feet along the arc of said non-tangent curve to the left, having a radius of 1105.92 feet, a central angle of 00 Degrees 37 Minutes 47 Seconds and whose long chord bears North 25 Degrees 17 Minutes 17 Seconds East, a distance of 12.16 to a 5/8-inch iron rod set;
- 8) South 65 degrees 01 minutes 36 seconds East, a distance of 5.00 feet to a 5/8-inch iron rod set;
- 9) North 24 degrees 58 minutes 23 seconds East, a distance of 243.41 feet to a 5/8-inch iron rod set;
- 10) North 13 degrees 39 minutes 47 seconds East, a distance of 101.98 feet to a 5/8-inch iron rod set;
- 11) North 24 degrees 58 minutes 23 seconds East, a distance of 100.00 feet to a 5/8-inch iron rod set;
- 12) North 36 degrees 16 minutes 59 seconds East, a distance of 101.98 feet to a 5/8-inch iron rod set;
- 13) North 24 degrees 58 minutes 23 seconds East, a distance of 187.12 feet to the POINT OF BEGINNING and containing a calculated area of 1.347 acres (58,681 square feet) of land.

County:

Palo Pinto

Highway: Park Road 36

Station:

260+12.88 to 269+40.31

R.O.W. CSJ: 0362-06-013

Page 3 of 6 August 12, 2016

Description for Tract 13-29 Part 2

Part 2B

BEGINNING at a 1/2-inch iron with cap stamped "Price Surveying" found at the intersection of the existing westerly right-of-way line of said Park Road 36 with the southerly line of said MaBe Lakeview tract and 40-foot right of Centerline Station 269+40.31 having a Texas State Plane Coordinate System, N.A.D.83, North Central Zone (4202) surface coordinate of North 7,005,124.38, East 1,977,736.24 feet and at the beginning of a non-tangent curve to the left; from which POSSUM KINGDOM CONTROL MONUMENT No. 4, a 3 1/2-inch aluminum disc in concrete found bears North 69 degrees 13 minutes 52 seconds East, 6,485.26 feet and a 1/2-inch iron rod found for the most southerly southwest corner of said MaBe Lakeview tract bears North 36 degrees 05 minutes 21 seconds West, 12.20 feet:

- 1) THENCE Northeasterly along the along the arc of said non-tangent curve to the left and said westerly right-of-way line of said Park Road 36, a distance of 29.36 feet, having a radius of 1105.92 feet, a central angle of 01 degrees 31 minutes 16 seconds and whose long chord bears North 34 degrees 03 minutes 26 seconds East, a distance of 29.36 to a 5/8-inch iron rod set at the intersection of said westerly right-of-way line and a property line of said MaBe Lakeview tract from which a 1/2-inch iron rod found for the most westerly southwest corner of said MaBe Lakeview tract bears South 58 degrees 31 minutes 39 seconds West, 27.70 feet;
- 2) THENCE North 58 degrees 31 minutes 39 seconds East along said boundary line of the MaBe Lakeview tract, a distance of 156.08 feet to a 5/8-inch iron rod set at the intersection of said property line and the easterly right-of-way line of said Park Road 36 from which a spike found for a corner of said MaBe Lakeview tract bears North 58 degrees 31 minutes 39 seconds East, a distance of 12.51 feet;
- 3) THENCE Southwesterly, a distance of 198.74 feet along the arc of said non-tangent curve to the right and easterly right-of-way line of said Park Road 36, having a radius of 1180.92 feet, a central angle of 09 degrees 38 minutes 33 seconds and whose long chord bears South 31 degrees 15 minutes 05 seconds West, a distance of 198.51 to a 5/8-inch iron rod set at the intersection of said easterly right-of-way line with southerly property line of said MaBe Lakeview tract from which a 1/2-inch iron rod found for the southerly corner of said MaBe Lakeview tract bears South 36 degrees 05 minutes 21 seconds East, a distance of 53.23 feet;
- 4) THENCE North 36 Degrees 05 Minutes 21 Seconds West along the southerly property line of said MaBe Lakeview tract, a distance of 79.07 feet to the POINT OF BEGINNING and containing a calculated area of 0.201 acres (8,742 square feet) of land.

County:

Palo Pinto

Highway: Park Road 36

Station:

260+12.88 to 269+40.31

R.O.W. CSJ: 0362-06-013

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Description for Tract 13-29 Part 2

Notes:

A plat of equal date accompanies this legal description and made a part thereof.

All bearings are based on the Texas State Plane Coordinate System, N.A.D. 83, North Central Zone. All coordinates shown unless otherwise noted are surface and may be converted to grid by dividing by the TxDOT conversion factor of 1.00012.

This description was composed based on field surveys conducted under my direction and supervision in June and July of 2016

James T. Mulley

Registered Professional Land Surveyor

Texas Registration No. 4522

Dated: August 12, 2016

McKim & Creed, Inc.

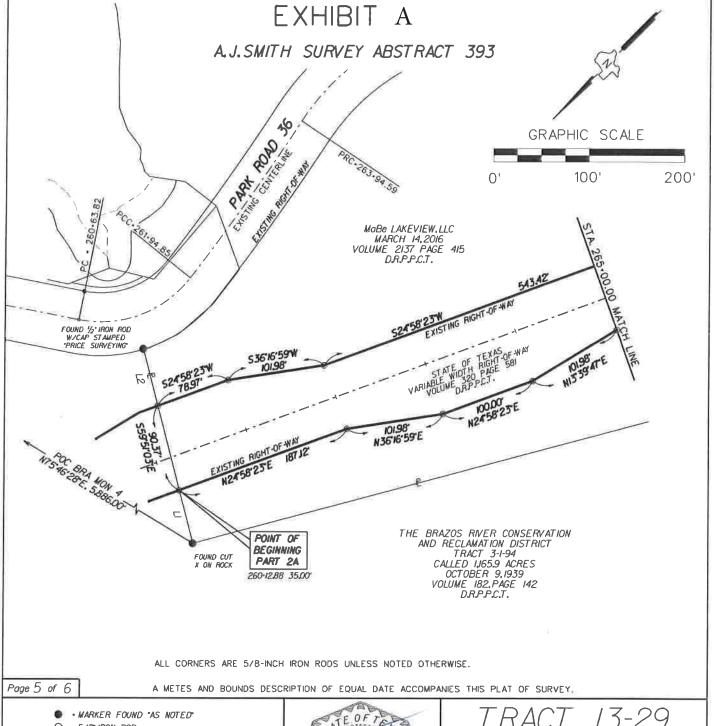
1517 W. North Carrier Parkway, Suite 138

Grand Prairie, Texas 75050

Tel: 817.484.5695

TBPLS Firm # 101776-02





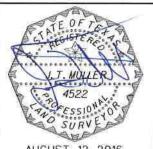
○ -5/8" IRON ROD

P - PROPERTY LINE

POC - POINT OF COMMENCING POB - POINT OF BEGINNING

DR.P.P.C.T. DEED RECORDS, PALO PINTO COUNTY, TEXAS

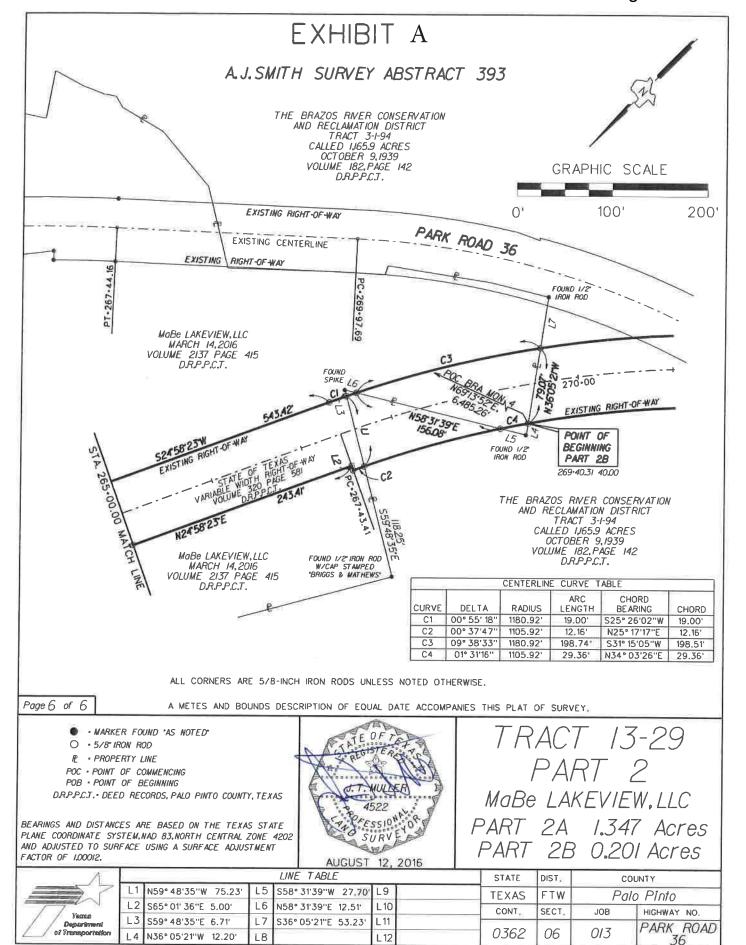
BEARINGS AND DISTANCES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, NORTH CENTRAL ZONE 4202 AND ADJUSTED TO SURFACE USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.



AUGUST 12, 2016

TRACT 13-29 PART 2 MaBe LAKEVIEW, LLC PART 2A 1.347 Acres PART 2B 0.201 Acres

1				NE TABLE	STATE	DIST.	UNTY	
	L1	N59° 51'03"W 56.93'	L5	L9	TEXAS	FTW	Palo Pinto	
Yeuns Department		S59° 51'03"E 61.13'	L6	L10	CONT.	SECT.	JOB	HIGHWAY NO.
	L3		L7	L11	0.700	0.0	017	PARK ROAD
07 Transportation	L4		L8	L 12	0362	06	013	36



County: Palo Pinto Highway: Park Road 36

Station:

262+33.62 to 268+62.73

R.O.W. CSJ: 0362-06-013

Page 1 of 5 November 11, 2016

Description for Parcel 3

BEING 0.882 acres of land situated in the A. J. Smith Survey, Abstract 393, Palo Pinto County, Texas and that certain tract of land conveyed to MaBe Lakeview, LLC recorded in Volume 2137, Page 415 of the Deed Records of Palo Pinto County, Texas, executed March 14, 2016. Said 0.882 acres of land being further described as follows:

COMMENCING at a point on the existing westerly right-of-way line of existing Park Road 36 (a variable width right-of-way) same being on the northerly line of said MaBe tract being the beginning of a non-tangent curve to the left from which a 1/2-inch iron rod with cap stamped "Price Surveying" found bears South 59 degrees 51 minutes 03 seconds East, a distance of 0.6 feet and a cut "X" in a rock found bears North 59 degrees 51 minutes 03 seconds West, a distance of 207.90 feet;

THENCE Southwesterly, a distance of 91.60 feet along the arc of said non-tangent curve to the left and said westerly right-of-way line of said existing Park Road 36, having a radius of 154.00 feet, a central angle of 34 degrees 04 minutes 48 seconds and whose long chord bears South 09 degrees 59 minutes 10 seconds West, a distance of 90.26 to a 5/8-inch iron rod with pink plastic cap stamped "TXDOT SURVEY MARKER ~ RIGHT OF WAY" found at the beginning of a curve to the left;

THENCE Southerly, a distance of 39.31 feet along the arc of said curve to the left and continuing along said westerly right-of-way line, having a radius of 2,566.78 feet, A central angle of 00 degree 52 minutes 39 seconds and whose long chord bears South 07 degrees 29 minutes 34 seconds East, a distance of 39.31 feet to the POINT OF BEGINNING being 35-foot right of Centerline Station 262+33.62 having a Texas State Plane Coordinate System, N.A.D. 83, North Central Zone (4202) surface coordinate of North 7,005,743.34, East 1,978,262.77 feet, from which POSSUM KINGDOM CONTROL MONUMENT No. 4, a 3 1/2-inch aluminum disc in concrete found bears North 73 degrees 06 minutes 57 seconds East, a distance of 5,786.85 feet and being a point of intersection of said MaBe tract;

- (1) THENCE South 65 degrees 55 minutes 59 seconds East along said MaBe tract, a distance of 69.29 feet to a 1/2-inch iron rod found;
- (2) THENCE North 81 degrees 42 minutes 58 seconds East continuing along said MaBe tract, 6.51 feet to a point on the easterly right-of-way line of said existing Park Road 36 and being the beginning of a non-tangent curve to the left;
 - THENCE generally southwesterly along the easterly right-of-way line of said existing Park Road 36 in the following thirty-two (4) courses and distances:
- (3) Southerly, a distance of 122.38 feet along the arc of said non-tangent curve to the left, having a radius of 2501.78 feet, a central angle of 02 degrees 48 minutes 10 seconds and whose long chord bears South 10 degrees 10 minutes 22 seconds East, a distance of 122.38 feet to a 5/8-inch iron rod with pink plastic cap stamped "TXDOT SURVEY MARKER ~ RIGHT OF WAY" found at the beginning of a curve to the right;

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County: Palo Pinto Highway: Park Road 36

Park Road 36 November 11, 2016 262+33.62 to 268+62.73

Station: 262+33.62 to 268 R.O.W. CSJ: 0362-06-013

Description for Parcel 3

- (4) Southerly, a distance of 277.52 feet along the arc of said curve to the right, having a radius of 285.00 feet, a central angle of 55 degrees 47 minutes 36 seconds and whose long chord bears South 16 degrees 19 minutes 21 seconds West, a distance of 266.69 feet to a 5/8-inch iron rod with pink plastic cap stamped "TXDOT SURVEY MARKER ~ RIGHT OF WAY" found at the beginning of a curve to the right;
- (5) Southwesterly, a distance of 102.89 feet along the arc of said curve to the right, having a radius of 1903.48 feet, a central angle of 03 degrees 05 minutes 49 seconds and whose long chord bears South 45 degrees 46 minutes 03 seconds West, a distance of 102.87 feet to a 5/8-inch iron rod with pink plastic cap stamped "TXDOT SURVEY MARKER ~ RIGHT OF WAY" found;
- (6) South 47 degrees 18 minutes 58 seconds West, a distance of 99.24 feet to a point on said MaBe tract;
- (7) THENCE North 59 degrees 14 minutes 19 seconds West along said MaBe tract, a distance of 67.81 feet to the westerly right-of-way line of said Park Road 36;
 - THENCE generally northeasterly along the westerly right-of-way line of said existing Park Road 36 in the following thirty-two (7) courses and distances:
- (8) North 47 degrees 18 minutes 58 seconds East, a distance of 118.57 feet to a 5/8-inch iron rod with pink plastic cap stamped "TXDOT SURVEY MARKER ~ RIGHT OF WAY" found at the beginning of a curve to the left;
- (9) Northeasterly, a distance of 64.57 feet along the arc of said curve to the left, having a radius of 1838.48 feet, a central angle of 02 degrees 00 minutes 45 seconds and whose long chord bears North 46 degrees 18 minutes 35 seconds East, a distance of 64.57 feet to a 5/8-inch iron rod with pink plastic cap stamped "TXDOT SURVEY MARKER ~ RIGHT OF WAY" found;
- (10) South 44 degrees 41 minutes 47 seconds East, a distance of 9.29 feet to a 5/8-inch iron rod with pink plastic cap stamped "TXDOT SURVEY MARKER ~ RIGHT OF WAY" found;
- (11) North 38 degrees 20 minutes 52 seconds East, a distance of 57.86 feet to a 5/8-inch iron rod with pink plastic cap stamped "TXDOT SURVEY MARKER ~ RIGHT OF WAY" found;
- (12) North 51 degrees 33 minutes 43 seconds West, a distance of 4.18 feet to a 5/8-inch iron rod with pink plastic cap stamped "TXDOT SURVEY MARKER ~ RIGHT OF WAY" found at the beginning of a non-tangent curve to the left;

County: Palo Pinto Highway: Park Road 36

262+33.62 to 268+62.73

R.O.W. CSJ: 0362-06-013

Station:

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Description for Parcel 3

- Northeasterly, a distance of 192.03 feet along the arc of said non-tangent curve to the left, having a radius of 220.00 feet, a central angle of 50 degrees 00 minutes 43 seconds and whose long chord bears North 13 degrees 25 minutes 55 seconds East, a distance of 185.99 feet to a 5/8-inch iron rod with pink plastic cap stamped "TXDOT SURVEY MARKER RIGHT OF WAY" found at the beginning of a curve to the right;
- Northerly, a distance of 163.19 feet along the arc of said curve to the right, having a radius of 2566.78 feet, a central angle of 03 degrees 38 minutes 34 seconds and whose long chord bears North 09 degrees 45 minutes 10 seconds West, a distance of 163.16 feet to the POINT OF BEGINNING and containing a calculated area of 0.882 acres (38,440 square feet) of land.

Notes:

A plat of equal date accompanies this legal description and made a part thereof.

The markers described and set in the above calls, if destroyed during construction, may be replaced with a TxDOT Type II Right-of-way Marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

All bearings are based on the Texas State Plane Coordinate System, N.A.D. 83, North Central Zone. All coordinates shown unless otherwise noted are surface and may be converted to grid by dividing by the TxDOT conversion factor of 1.00012.

This description was composed based on field surveys conducted under my direction and supervision in July of 2016

James T. Muller

Registered Professional Land Surveyor

Texas Registration No. 4522 Dated: November 11, 2016

McKim & Creed, Inc.

1517 W. North Carrier Parkway, Suite 138

Grand Prairie, Texas 75050

Tel: 817.484.5695

TBPLS Firm # 101776-02



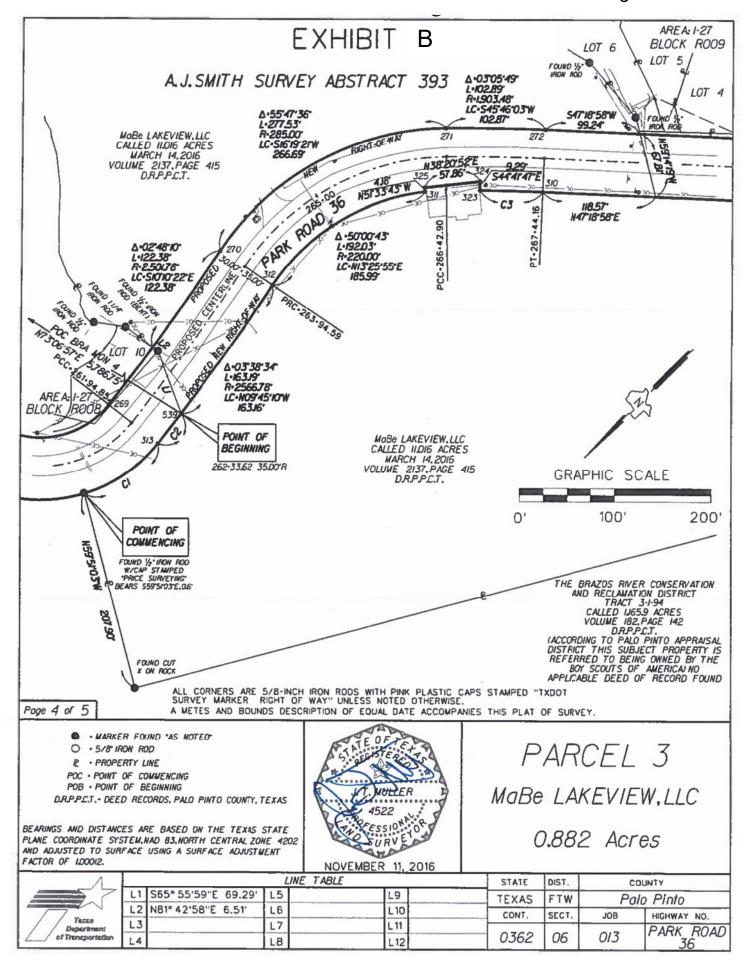


EXHIBIT B

		CUR	VE TABLE			
CURVE	LENGTH	DELTA	RADIUS	CHORD BEARING	CHORD	
C1	91.60	34° 04'48"	154.00'	S09° 59'10"W	90.26	
C2	39.31	00° 52'39"	2,566.78	S07° 29'34"E	39.31	
C3	64.57	02* 00'45"	1,838.48	N46° 18'35"E	64.57	

COORDINATE TABLE								
POINT	NORTHING	EASTING	STATION	OFFSET				
270	7005595.582	1978354.090	263-94.58	-30.00				
271	7005339.641	1978279.138	266+42.90	-30.00				
272	7005267.879	1978205.427	267-44.16	-30.00				
310	7005315.661	1978161.360	267-44.16	35.00				
311	7005384.972	1978232.554	266-42.90	35.00				
312	7005582.541	1978290.411	263+94.58	35.00				
313	7005782.317	1978257.646	261-94.85	35.00				
323	7005360.264	1978208.051	266+78.36	35.00				
324	7005353.662	1978214.583	266-78.36	25.71				
325	7005399.037	1978250.479	266 • 17.17	30.82				
529	7005743.344	1978262.772	266.33.62	35.00				

	ADJACENT PROPERTY LESSEE OR OWNER TABLE									
	BLOCK	LOT	OWNER	DOCUMENT RECORDING	EXECUTION DATA					
1-27	ROOB	10	OTTO G JONES	VOLUME 1803, PAGE 331	JANUARY 11, 2011					
1-27	RO09	4	YOUNGBLOOD-CHARLES-VIKI-CHRISTILP	VOLUME 1997, PAGE 460	NOVEMBER 30, 2012					
1-27	RO09	5	WILLIAM J CLARKE AND REBECCA D CLARKE	VOLUME 1954, PAGE 196	JUNE 07, 2012					
1-27	RO09	6	ROBERT W MAYNARD AND ROBIN HAUGHT MAYNARD	VOLUME 2121, PAGE 199	SEPTEMBER 30, 2015					

ALL CORNERS ARE 5/8-INCH IRON RODS WITH PINK PLASTIC CAPS STAMPED "TXDOT SURVEY MARKER RIGHT OF WAY" UNLESS NOTED OTHERWISE.
A METES AND BOUNDS DESCRIPTION OF EQUAL DATE ACCOMPANIES THIS PLAT OF SURVEY.

Page 5 of 5

. MARKER FOUND 'AS NOTED

O . 5/8" IRON ROD

& - PROPERTY LINE

POC - POINT OF COMMENCING POB - POINT OF BEGINNING

DRPPC.T .. DEED RECORDS, PALO PINTO COUNTY, TEXAS

BEARINGS AND DISTANCES ARE BASED ON THE TEXAS STATE



PARCEL 3 MaBe LAKEVIEW, LLC

0.882 Acres

PLANE	C	00F	DIN	ATE	SYST	EU.	NAD	83.	M	DRTH	CEN	TRAL	ZONE	4202
AND A						ACE	USI	NG .	A	SURF	ACE	ADJU	STME	ıτ
FACTO	ıR	0F	IDO	2012.										
				1	L							21121		LINE

Λ		LINE TABL	STATE	DIST.	NST. COUNTY		
	L1	L5	19	TEXAS	FTW	Palo Pinto	
Textes Department of Transportation	L2	L6	L10	CONT.	SECT.	JOB	HIGHWAY NO
	L3	L7	L11			013	PARK ROAD
	L4	L8	L12	0362	06		36